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**URGENT****MASON & ASSOCIATES, P.A.  
FAX COVERSHEET**17757 U.S. Hwy 19 North, Suite 500, Clearwater, FL 34677  
Our Fax #: (727) 538-3820TO: USPTO  
Dept/Office/Art Unit: Office of Petitions  
FAX #: 703-308-6916  
TOTAL # OF PAGES: 3DATE: May 24, 2002  
OUR FILE: 1617.22B  
FROM: Dennis G. LaPointe  
Tel.: 727-538-3800**ATTN: ELEANOR WILLIS****FAX RECEIVED****MAY 24 2002****PETITIONS OFFICE**Subject: **Application No.: 10/045,972**  
**Deadline Date: April 6, 2002**Documents  
Attached:

Comments:

The attached Notice of Abandonment was received in the parent case to the CIP application you are trying to track for us

I trust that once you get OIPE to send you case, we do not have to file a Petition To Revive. The last conversation I had with Mrs. Robinson is that she can only request a case by email and until it comes to her, she cannot send case to you. After 2 months, still no case? Something is grossly wrong!

**KINDLY ACKNOWLEDGE RECEIPT VIA RETURN FACSIMILE**

The information contained in this transmission is attorney privileged and confidential. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, collect, and return the original message to us at the above address via the U.S. Postal Service. We will reimburse you for postage. Thank you.

Please call (727) 538-3800 if you do not receive the total number of pages referenced above.  
Thank you.

1617c22B.FCV. Urgent PTO.052402.doc

Sincerely,

Dennis G. LaPointe  
Mason & Associates, P.A.**Receipt is hereby acknowledged.**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/591,243      | 06/09/2000  | Ken-Ichi Kosuna      | 1617.22A            | 3205             |

24040 7590 05/17/2002

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|----------|
| EXAMINER |
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COE, SUSAN D

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

1651

DATE MAILED: 05/17/2002

10

Please find below and/or attached an Office communication concerning this application or proceeding.

FAX RECEIVED

MAY 24 2002

RECEIVED OFFICE

MAY 24 2002

**Notice of Abandonment**

Application No.

09/591,243

Examiner

Susan Coe

PETITIONS OFFICE

Applicant(s)

KOSUNA, KEN-ICHI

Art Unit

1651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 12 October 2001.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

  
LEONARD B. LANKFORD, JR.  
PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.